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VIOLENCE IN STRIKES—DISCUSSION

NICHOLAS P. GILMAN : I deprecate any attempt to minimize the amount of violence in labor disputes by comparing it with the amount of other crimes, for trade unionists belong to the intelligent and usually peaceful classes of the community and ought not to need such comparison to excuse them. Whatever may be said privately by unionists of any particular case of violence committed upon a non-unionist by a unionist, the formal utterances of labor leaders upon the wrongfulness and the bad policy of employing violence in strikes are, indeed, above reproach. But the practical attitude of many unions is not in keeping with their peaceful theory. In case of violence claimed to have been committed by a unionist, the effort of the union is first to deny the fact, and secondly to avoid responsibility, thirdly, the union furnishes able counsel to defend the accused member; and, fourthly, if he is convicted, it fails to expel him from its membership. There are few, if any, penalties prescribed for violence, and dismissal for proved crime of the kind is unknown. In view of these facts, the disinterested student of the phenomena must pronounce the position taken by trade unionists against the use of violence in labor disputes to be too largely academic. The unions take no vigorous measures to prevent it, or to punish it when committed. They profit by the fear of violence which actually prevents thousands of non-unionists from seeking work in an establishment where a strike is on, and they do not sufficiently reckon up the remote consequences of such a policy in alienating the good will of the public. Trade unions can prevent violence in strikes if they really

wish to do it, at least in a very great degree. We need a rigid enforcement, by the authorities, of existing laws against criminal practices committed by strikers. Picketing leads very easily to actual violence, and it should be abolished. It is a method of reaching workmen outside of the establishment having a strike that has become antiquated in this age of the printing-press and the telegraph. Lawlessness by persons who excuse their methods because their ideals are high is too common in our country to-day: violence by trade-unionists is a very palpable example, and it should be rigorously suppressed by law and public opinion.

GEORGE E. BARNETT: Mr. Adams' paper resolves itself into the maintenance of three theses. In the first place he points out that the actual violence in labor disputes is a smaller evil than the atmosphere of menace which surrounds many, if not most strikes. Secondly, he asserts that this violence does not show such a decrease as to warrant us in the belief that tendencies now at work will result in the effectual diminution of violence. Thirdly, he suggests that the evils attendant upon the use of violence are so great that it will be necessary, or in any event highly desirable, to adopt some system of compulsory arbitration as an effective remedy for an intolerable state of affairs.

The second proposition is the pivot upon which the first and third turn. For menace obviously exists because of some actual violence. Once the violence is either done away with or considerably diminished, the atmosphere of menace will be sensibly lightened. In the same way, the validity of the third proposition, viz., the necessity for the interposition of the state in order to avoid strikes and the violence attendant upon them—

depends directly upon whether or not violence is likely to decrease.

In support of his central thesis—that violence shows such a slight tendency to decrease as to give us no good ground to hope for its disappearance—Mr. Adams adduces first of all a body of statistical evidence. The statistics thus introduced appear to me to have even less weight than Mr. Adams, himself, attaches to them. (1.) The strikes in which it is possible to determine whether violence was employed or not are so small a part of the total number as to make any inferences drawn from the tables extremely untrustworthy. (2.) The statistics of violence to be of any use must be qualitative. In the tables presented, no attempt is made to distinguish between large disturbances such as the railroad strikes of the '70's and the smallest infractions of the law. (3.) The tables do not cover any part of the period since 1880. The great tendencies which most economists believe make for a diminution in violence: the nationalization of the unions and the development of collective bargaining, were hardly in existence in 1880. For these and other reasons it seems impossible at present to reach any conclusions from a study of the statistics now in existence. Undoubtedly useful statistics might be had, but the collection of such statistics would require an enormous outlay.

In the absence of any satisfactory statistical data, any judgment as to the increase or decrease of violence must be based upon a study of the history of the older unions and of the tendencies now manifest in the labor movement. Mr. Adams believes that the improvement in methods of collective bargaining does not show such a continuity as to warrant us in counting strongly on

relief from this quarter. There are undoubtedly many eddies in this movement, but allowing for all relapses, the history of collective bargaining shows, especially in recent years, clearly discernible tendencies. The last ten years, more than any equal length in the past, have been full of significance in the trade-union history of the United States. Within that period has come, in a measure hitherto unknown, the rise of national employers' associations and great systems of collective bargaining. In considering the slow development of peaceful methods of settling labor disputes in the United States, we must always bear in mind that the nationalization of the unions and the employers' associations has been considerably delayed by the extent of the country and the consequent diversity of interests. The necessary organisms for carrying on collective bargaining are in an early stage of development. The greater part of the employers' associations of the United States are still union smashers. Practically all of them started so. At the outset, the points of difference between the association and the union are too great to permit an immediate adjustment. Unfortunately in most cases warfare ensues, but eventually one of three things must occur. The union is smashed, the employers' association is broken up, or the troublesome question is settled.

In the main every great strike by a strongly centralized union settles something. Under the old régime of local warfare, a strike led nowhere. The perpetual cycle of strikes alone was in evidence. To draw a concrete illustration: in 1880-1881, the corresponding secretary of the Typographical Union stated that in a membership of 8000, thirteen strikes had been reported. Certainly many strikes were not reported. In 1904-1905, the Union with 45,000 members had nineteen

strikes. In the latter year, only 256 men were involved in the strikes. The years 1880 and 1904 may be regarded as normal years. In the year 1905-06 the Union is involved in a struggle with the Typothetae of a magnitude hitherto unknown. But the strike of this year is bound to have important consequences. It leads somewhere. A definite issue of vast importance to the trade is at stake. Sooner or later, whatever may be the result of the struggle, the Union and the Typothetae will reach an agreement. The difference between the strike of 1880 and that of 1905 is the difference between guerilla warfare and a pitched battle. For constant warfare the unions and employers have substituted great contests with intervals of peace. The net result is a lessening in the number of men involved in strikes if we take considerable periods into account.

The replacement of guerilla warfare by pitched battles makes in another way for diminution of violence. Upon the pitched battle the attention of the public is centred. The national disapproval of violence can exert itself. The leaders on both sides have been quick to perceive the enormous advantage of popular approval. Evidences of this new appreciation of public interest are manifest. The old policy of secrecy is giving way to a more enlightened regard for popular interest. Fifteen years ago the older unions in the United States were extremely reticent about their laws and their proceedings. At present in almost every national union office in the country the amplest information is afforded every inquirer. Their proceedings and laws are obtained for the asking. The trade union leader engaged in a national contest is well aware that violence will prejudice his cause. The centralization

of the union gives him some power to make his wishes felt.

Finally, we must remember that violence is largely an imitative process. Like crime of other kinds, like lynching, one set of violence leads some one else to commit another act. Diminish the violence in any trade and the effect is felt in a farther diminution. Lengthen the period between strikes and the imitative faculty responds less readily. If the forces now at work do diminish strikes, if they concentrate in great conflicts the old incessant warfare, the ultimate effect will be far greater than the immediate result.

The trade unions in America and the employers' associations are in all stages of development. We cannot look for any immediate large decrease of violence but the encouraging sign is that never at any previous period have so many of them been maintaining peaceful contractual relations with the employers' associations. It will be the part of wisdom for economists to stress the undoubted gains of present tendencies rather than to point the way to what can at present be only a chimera.

W. B. PRESCOTT : Being compelled to approach this subject from the view-point of an observer rather than that of a student, I may be pardoned for sounding the personal note by saying that though I have been a participant in five strikes and have had a more or less close connection with the management of about 200 strikes and lockouts. I have no practical knowledge of strike violence—spontaneous or systematic. I know of a few personal brawls magnified into riots by news-hungry reporters, and on but one occasion in my experience was there reason to believe that officials of a local union

had connived at violence. In this instance the officers of the "parent" organization withdrew from participation in the management of the strike so soon as they were morally certain of the intentions of the local manager.

Mr. Adams is of opinion that physical violence is bred in the "atmosphere unsuitable for 'scabs.'" To my mind, he attaches too much weight to that cause. Outside their activity in fixing wages and hours of labor, trade unionists stand for certain well-understood principles or rules of workaday life. Among these is what Andrew Carnegie has called the new commandment: "Thou shalt not take thy neighbor's job unfairly." He who violates the ethics of his calling in this respect is made to feel the obloquy of his act, whether he is a professional man or a hod-carrier. In the case of the latter he and his family are regaled with some harsh—perhaps coarse—and very plain talk. When his children are ostracized by their playmates they are told the reason why in the loudest of tones. For a score of reasons unionists believe their ideas are beneficial to the working classes and that all wage-earners in organized trades should align themselves with their unions. Those who neglect to do so or oppose the principle are ostracized. Their manner of doing so may not be in the best of taste, but in all essential respects unionists are but following the advice an eminent educator gave the American people relative to the beneficiaries of bad trusts—to taboo them in the social and business worlds.

To some degree this feeling permeates all unions, whether composed of men of a low degree of skill or of a high degree; of old men or of young men. If, then, this atmosphere is a fruitful mother of physical violence,

we should look for demonstrations of it among the older unions. But we don't find it there; on the contrary, the older organizations are comparatively free from violence, even of the brawling type. My observation forces the conclusion that strike violence has its roots in the almost universal disregard for law and in the character, habits, and age of the majority of the men involved in any strikes. That is, if men are engaged in a hazardous occupation, which compels frequent displays of recklessness they are more ready to resort to, and to place more reliance on physical force demonstrations than those who work under less dangerous conditions—such as a printer or a cigar-maker. Men who year after year accept the risks which fall to the lot of a railroad brakeman, or of a lineman, or of a structural iron-worker must in time come to think lightly of the dangers involved in physical encounter, and when hundreds of them are on strike they see little harm in resorting to violence *en masse*. Daring is one of the qualities which make up competency in such trades. These men also become inured to seeing their mates maimed and killed, (all too frequently due to lawlessness on the part of their employers) and therefore have less horror of mutilation or death than those whose lives have fallen in more pleasant places. The same spirit of recklessness which makes it possible to man railroad trains and build skyscrapers—of inestimable benefit to society—is responsible for much strike violence.

Then there is the hot blood of impulsive youth, of which dry statistics take no account. I think, however, it is a factor. In the printing trades, with which I am fairly well acquainted, there are two organizations that serve to illustrate the tendency. One is the typographical union, over fifty years old and composed of

adults. Within the sphere of its influence the atmosphere unfavorable to the scab is intense—but there is no physical violence. The man who deliberately violates his obligation is tabooed. He is not as a rule beaten or even indecorously accosted in public places; he is treated as are outcasts in other circles, and to which the world says “Amen”. But it seems that while the policy of “silent contempt” for the wrongdoer may be proof of good breeding in the lawyer or merchant, it is “low” and of questionable legality when practised by unionists. Though any mitigating circumstance is given full consideration and weight, the transgressor is seldom fully forgiven, even after being again within the fold. I know, as Mr. Commons intimates, such a boycott is more to be dreaded than a pummeling. I have seen strong men cry for joy at the ban being raised, though they knew a certain amount of opprobrium would attach to them, and I have heard a wife declare her willingness to undergo any privation if her husband were but forgiven and reinstated. I have possibly had more heart-to-heart talks with strikebreakers than has President Eliot of Harvard, yet I never met one who was not anxious to have that portion of his life relegated to the limbo of the moon. None of them spoke of himself as a hero, but all pleaded for mercy as malefactors—traitors to their fellows. It may be my judgment is warped, but I have always thought much of the distress of which strikebreakers complain is mental and due to the flagellation of a guilty conscience. However, in the typographical union we have the supposed dangerous “atmosphere” in all its intensity, and yet 3000 members of this organization have been on strike for three months and practically no physical violence has been alleged.

On the other hand press feeders' unions are composed of youths and young men, and with them there is not practised that rigid adherence to the tenets of unionism that characterizes the compositors, who are members of the typographical union. But the history of feeders' strikes are speckled with blood spots. To waylay and beat a rat is something to boast of among the youthful feeders; to be detected in the commission of such an act would mean loss of caste with the larger element of the more mature compositors. Nor do the feeders send a "rat" to Coventry with the alacrity and thoroughness of the compositor. Eliminating the elements of youth and the intellectual status of the men involved, I am convinced the compositor's attitude toward violence has been much influenced by the union and its teachings. Though as a result of strikes and lockouts he has seen his savings dwindle and his home destroyed, he does not resort to physical force, largely because he knows it would be useless, as it is axiomatic in his union literature that strikes are not won by such methods. So, though he be tempted to wreak vengeance on the head of the man who took his job, he refrains out of consideration for the union's welfare, just as he sometimes works under obnoxious conditions rather than place his union in the position of not living up to its contractual obligations. Then, too, he has confidence in the ability of his union to take care of the situation in the future, which tones down any primitive desire for revenge that may lurk in his bosom. In a word, the more thoroughly organized and well-drilled in unionism men are, the less tendency there is to indulge in physical violence. Indeed, it is difficult to inveigle them into it.

The theory that violence is part of the trade union program has little to support it. The means to indulge

in this form of lawlessness is always at hand, should some short-sighted opportunist desire to use it. I have never heard it mentioned as among the methods by which strikes were to be won. If violence were an accepted part of union machinery it would be directed against hostile employers and other influential enemies rather than inconsequential non-unionists, yet we seldom hear of employers being molested.

Mr. Adams recognizes that the general spirit of lawlessness is in a measure responsible for some of the evil we are discussing. If the law were rigidly enforced much of this would disappear, for it cannot be denied that among working people the law is falling into disrepute, with the highest dignitaries of the nation open violators of law and the costs of litigation so high that in the nature of things a poor man is frequently debarred from seeking justice. Small wonder that an occasional wronged and perplexed striker thinks he may have his fling. According to the editor of the mine workers' Journal, during the period covered by Mr. Slason Thompson, 904 persons lost their lives in the coal mines of the United States, and in every instance a coroner's jury declared the accident to be the result of wilful violation of law. Practically nothing was said by the press in condemnation of the culprits, and no one was brash enough to think they would be punished. Able counsel doubtless discovered many reasons why punishment should not be inflicted, but the concrete fact is that wrong doing resulting in a great loss of life went unpunished. It does not take much imagination to picture the miner who was sentenced to a year or so in jail for unpremeditated assault wondering why so much was made of his transgression, while the man who deliberately violated the law—and perhaps was

guilty of an additional offence in bribing an official to permit him to do so—causing the death of hundreds, is practically unmolested. Object-lessons of this kind do not promote respect for law. Such inequalities and inconsistencies in the enforcement of law are on the surface and known of all men. While the workers instinctively feel they are handicapped when before the courts, they do not trouble to make the nice distinction that in their case the law “dips into the secret recesses of morality,” and the secret of employees are being investigated. The manner of enforcement is what undermines their respect—if it does not create a spirit of hostility.

Why should society, reeking with lawlessness, expect a clean bill of health from that element which has more excuse for violation than any other, and which is in fact a model for adherence to the law for many of its critics? If society will itself but set the example, of upholding the law without fear or favor, then strike violence will disappear, even though every trade union agency and influence were to remain as it is.